

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DARREN HARRIS,

Case No. 1:05-cv-00003-AWI-SKO (PC)

Plaintiff,

ORDER STRIKING NOTICE

v.

(Doc. 125)

KIM, et al.,

Defendants.

Plaintiff Darren Harris, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 3, 2005. This action is proceeding on Plaintiff's fourth amended complaint against Defendants Olivarria, Williams, and Kim for violation of the Eighth Amendment, and against Defendants Olivarria and Lowden for violation of the First Amendment.

On January 21, 2014, Plaintiff filed a "Notice of Retaliatory Actions by CDCR Officials Due to [Exercise] of First Amendment Rights." This action arises from events which occurred at California State Prison-Corcoran in 2002. (Doc. 64.) Plaintiff is currently incarcerated at California Men's Colony in San Luis Obispo, and his conditions of confinement there do not and cannot form the basis for any request for relief made in this action. *Summers v. Earth Island Institute*, 555 U.S. 488, 493, 129 S.Ct. 1142, 1149 (2009); *Mayfield v. United States*, 599 F.3d 964, 969 (9th Cir. 2010).

1 Accordingly, Plaintiff's notice is HEREBY STRICKEN from the record.
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4 IT IS SO ORDERED.

5 Dated: March 24, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE